

**GOVERNMENT OF KERALA**

**Abstract**

Local Self Government Department – Kondazhi grama panchayath -  
Judgment in WP(C) 17314/2015 filed by Sri. Aneesh, S/o.Somasundaran,  
Thottungal House, Mayanur - Compliance of Court direction --Orders  
Issued

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**LOCAL SELF GOVERNMENT (RB) DEPARTMENT**

G.O.(Rt)No.2537/2015/LSGD Dated,Thiruvananthapuram, 18/8/15

Read:- 1. Judgment dated 10/6/2015 in WP(C)No.17314/2015 filed by  
Sri. Aneesh, S/o.Somasundaran,Thottungal House, Mayanur  
2. Exhibit P11 representation dated 29/11/2014 submitted by  
Sri.Somasundaran, Thottungal House, Mayanur

**ORDER**

As per the judgement read as 1<sup>st</sup> paper above the Hon'ble High Court had directed the first respondent to consider and pass orders on Exhibit P11 within a period of one month from the date of receipt of a copy of this judgement after affording the petitioner and the second respondent an opportunity of being heard.

In the Exhibit P11 representation read as 2<sup>nd</sup> paper above, Shri.Somasundaran has requested to regularise the construction carried out in the land transferred to his son from the land comprising in Survey No.369/3 in Mayanur village.

As ordered by the Hon'ble Court, the petitioner and 2<sup>nd</sup> respondent, Secretary, Kondazhi Grama Panchayath were heard on 24/07/2015. In the hearing the petitioner argued that the construction was as per the KPBR and the land under question had already been converted as dry land. Moreover there are trees having 30 years age and the area has already been developed as commercial area and there are many commercial building opposite to the petitioners building. The 2<sup>nd</sup> respondent has stated that as per the Revenue Records the land in question is marked as nilam. On the basis of the decision of the paddy committee the panchayth issued NOC to the petitioner for the construction of a residential building. But the petitioner had constructed a commercial building. As per the existing rule commercial construction is not allowable in the land under question.

The land in question is reclaimed without getting any order from the

Revenue Department. As such the reclamation is invalid. Therefore the action has to be taken for changing the nature of land in the Revenue records. As per the existing Rule, Exhibit P11 can not be considered without changing the nature of land in the BTR.

Government have examined the matter in detail, and are pleased to direct the petitioner to submit application before the Revenue Department for changing the nature of the land in the BTR and after that to submit revised application before the Secretary, Kondazhi Grama Panchayath for regularising the construction. Considering the above facts, Exhibit P11 representation is rejected in due compliance to the direction contained in judgement dated 10/06/2015 in WP(C)No.17314/15.

By Order of the Governor  
B.Madhu,  
Joint Secretary

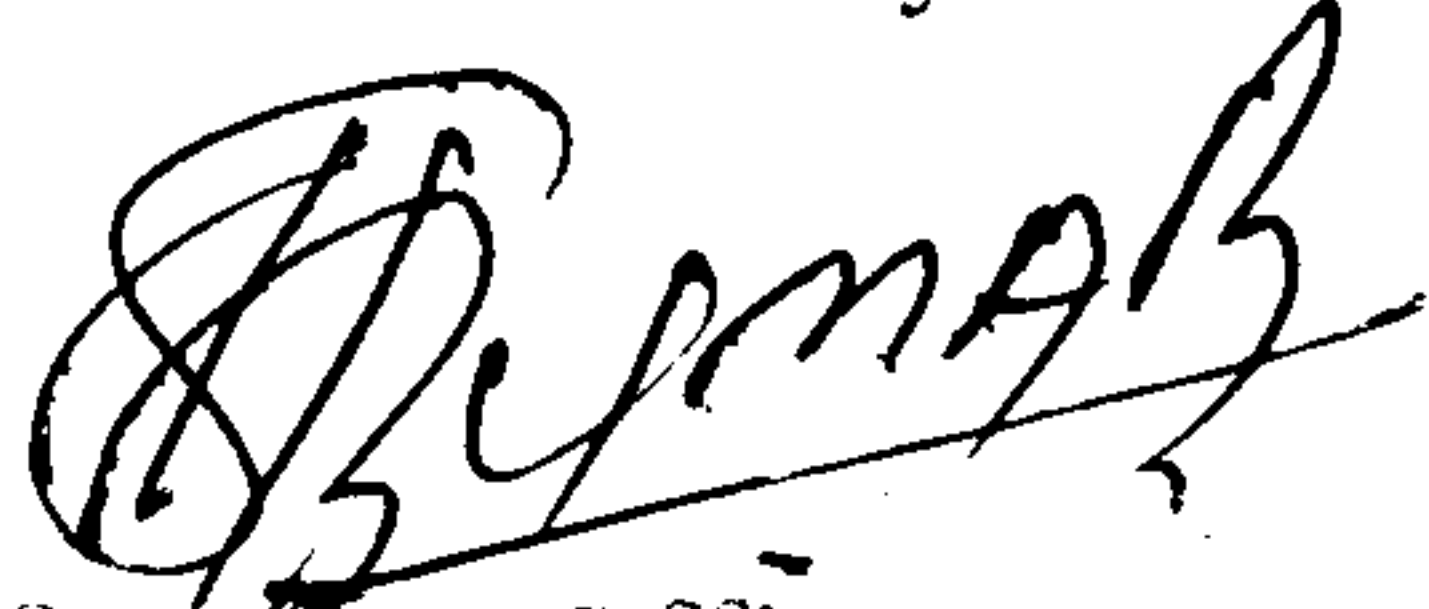
To

Sri. Aneesh, S/o.Somasundaran, Thottungal House, Mayanur  
The Advocate General, Kerala Ernakulam(with covering letter)  
The Secretary, Kondazhi Grama Panchayath, Thrissur.

~~The~~ Executive Director, Information Kerala Mission, Pangappara,  
Trivandrum.

stock file / O.C

Forwarded/By order



Section Officer.